

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MOTION TO DISMISS INDICTMENT WITHOUT PREJUDICE

Pursuant to Rule 48, Fed. R. Crim. P., the United States of America respectfully moves the Court to dismiss the Indictment in this matter without prejudice against Defendant Pat Berssenbrugge, in the interests of justice. The Defendant, through her attorney Peter Schoenburg, does not oppose this motion.

Respectfully submitted,

DAVID C. IGLESIAS
United States Attorney

ELECTRONICALLY FILED

JAMES R.W. BRAUN
Assistant United States Attorney
P.O. Box 607
Albuquerque, N. M. 87103
(505) 346-7274

I HEREBY CERTIFY that a true copy
of the foregoing pleading was faxed to
the defendant's counsel of record, Peter
Schoenborg and Carolyn M. Nichols,
this 3rd day of January, 2006.

ELECTRONICALLY FILED

JAMES R.W. BRAUN